

ONTARIO ARGUS

PUBLISHED EVERY THURSDAY

Entered in the postoffice at Ontario Oregon, for transmission through the mails as second-class matter.

M. E. BAIN, Publisher.

Which Is True?

The frantic appeal made by the Vale people to keep the county seat at Vale, lest the town of Vale will be utterly ruined and destroyed, is a confession on the part of the Vale people that there is nothing to their town but the county seat. The Vale paper is full each issue of matter written by the publisher and contributed by the public arguing against the removal of the county seat. The burden of the song in these articles is that the removal of the county seat from Vale to Ontario will "utterly ruin and destroy Vale," while it will be of but little benefit to the town of Ontario. Now, suppose we should admit that these statements are facts. The question is why are they facts? Why would the removal of the county seat from Vale to Ontario "utterly ruin Vale?" And why would the removal of the county seat to Ontario "help Ontario but little?" The answer is plain. The Vale people are willing to admit that the is nothing to the town of Vale except the county seat. They are willing to admit that people do not go to that place except on county business. They are willing to admit that if the public was not compelled to go to Vale on county business they would not go there at all. They are willing to admit that the assertions that all those thousands of acres of land that they claim are to be irrigated tributary to Vale, is pure buncombe. They must admit all these things in order to "utterly ruin and destroy Vale" by taking the county seat away. If the public would go to Vale after the county seat is removed, and if all the "fertile" acres are to be cultivated tributary to Vale, after the county seat is removed, then how and why will Vale be "utterly ruined and destroyed by a removal of the county seat?"

The Vale advocate also argues that the removal of the county seat to Ontario "will help Ontario but little." This too, is perhaps a fact. But why will the removal of the county seat to Ontario help Ontario but little? The Vale advocate must admit that the reason that the removal of the county seat to Ontario will help Ontario but little, is because practically all the people who are compelled to attend to county business at Vale, visit Ontario, also, and that Ontario therefore gets the trade and patronage of almost all the people who attend to matters at the county seat; hence the Vale advocate has figured it out "that the removal of the county seat from Vale to Ontario will utterly ruin and destroy Vale, and will help Ontario but little." The voters and taxpayers of the county may have figured it out the same way, but they are not interested in helping Ontario or Vale, as much as they are interested in helping themselves. Mr. Taxpayer thinks it is unfair to compel him to go to town to transact his county business, unless there is something to that town other than the county seat. That is unjust to him as an individual, and as a taxpayer, to be compelled to go to one town to transact his county business, and to another town to transact his other business. Mr. Taxpayer has figured it out that the gain that Vale has by reason of having the county seat is his. Mr. Taxpayers, less. He has concluded that since the county seat belongs to the people of the county, and not to any town, that the people of the county ought to have their county seat located where it is most convenient, and that Vale's loss in losing the county seat is the taxpayers gain.

The People's County Seat.

The people of Malheur county, after the county was created in 1887, located their county seat at Vale. Remember they did not give Vale their county seat. They located there, THE PEOPLE'S COUNTY SEAT at Vale. The people of the county reserved in themselves the right to change the location of the county seat whenever sixty per cent of the voters of the county should decide to do so.

Eighty per cent of the voters of the county have signed a petition to the county court asking that a vote be had at the November election to determine whether or not their county seat shall be removed to Ontario. Have not FOUR-FIFTHS of the voters of the county a right, a moral right, a legal right A RELIGIOUS RIGHT to say what shall be done with their own? It would seem so. Yet there are persons appealing to the "Dear Brothers and Sisters" and quoting passages of Scripture, trying to assert that the

people of the county have not a legal, moral and RELIGIOUS RIGHT to relocate THEIR COUNTY SEAT if they should see fit to do so.

We do not wish to say anything that would appear to be a criticism of any person who tries to use the Scriptures to prove a point, whether right or wrong, but we can not refrain from regretting the use of the Holy Book for such unholy purposes.

The Reverent Gentleman at Vale is not the only person in the world that has a special stand in with the Almighty. We read in the newspapers that the Czar of Russia has God on his side, fighting the Emperor of Germany who has God on his side. It seems that the more disreputable and unrighteous a cause is, the more anxious some people are to claim a partnership with God.

Is It More "Watchful Waiting?"

It is charged that the majority in congress is continuing the session in order to keep the Republican members from the northern and western states from going home to see if their respective districts are in good condition to re-elect them. That charge does not seem unreasonable because can any one, friend or foe of the present administration, point to anything which the present congress has done or tried to do in the last two months which if done would have been of any service to the country?

In the meantime the ally of the administration, Colonel Roosevelt, is stamping doubtful districts in the hope of deserting enough Republican votes from the real issues to draw them to chasing his ignis fatuus as though it were a real electric light, to elect a majority of Democrats again.

One would think that a majority of the present congress would be saying: "This is the opportunity of a century; this is a time when every factory should be running with full force, and we, as the country's representatives should be hurrying through effective measures to enable our merchants, shipowners and manufacturer to seize and hold the trade of all this continent at least.

And, further, we should be struggling to swiftly supply the means to enable our farmers and planters to get their crops to market."

We say one would think that if they did not know the order of mind of the average Democratic congressman in reference to two or three national subjects. They have made it possible to buy and register foreign ships, but that is all.

And how President Wilson keeping his pre-election promise to fill the seas with merchant ships, that should be doing a prosperous business without the aid of bounties or subsidies? Is that one of the cases were a theory looks flawless on paper, but will not bear the analysis of a little common sense reduced to the rule of three?

Congress has been drifting for three months like a rudderless ship, waiting and anxious to do anything that the President commands, but he has not made one speech from the throne to that august body. (We refer to the month more than to the body.) Is he pursuing a "watchful waiting" policy until the elections come off?

We do not forget the President's late great affliction, but we take it that he has lived long enough to know that the best way to combat a great sorrow is through hard work, and just now the thing most essential to the welfare of the masses of our people is to have the commerce of three months ago reinstated and vastly enlarged so far as our people are concerned, for it is up to us now to build and repair the ships that were formerly built and repaired in foreign ports. It is a marvelous opportunity that has been given us to restore what we lost on the seas between 1861 and 1865.

Farmers Not in a Trust.

When the Democratic Tariff bill removed the duty of 25 cents a bushel on wheat imported into this country, and provided for the importation of beef cattle into the United States free of duty, will someone tell us what "Trust" was destroyed? This talk of the Tariff being responsible for the Trusts was made only for a purpose by the Democratic statesmen. Certainly no one can charge the farmers with being a Trust in the sale of their wheat and cattle. Then why was the protection removed from these agricultural products by the Underwood-Simmons Tariff law? This is a question the farmers might ask themselves.

Judging from the kind of junk that is being published in the Vale paper regarding the removal of the county seat, Vale people certainly do not think much of the intelligence of the people of this county if they expect them to believe half of it.

Conducting the Garman army's fall maneuvers on French territory gives rise to complications.

Pile on the Taxes.

Go it, Congress! Pile on the taxes! You have been extravagant. You have shut up mills. You have thrown the harpoon of confusion into our business. You have reduced the Government's income so that even without the war as an excuse you would have had to levy direct taxes, anyhow. Go it, Congress! We all understand the necessity for taxing everybody to sustain a revenue system as unsound in principle as it has been deadly to industry.

A Lucky Colonel.

Our friend Col. Stream of Bonita complains to the public that he had hard luck in obtaining a bed when he came to Ontario recently to attend the Malheur County Fair; and says that he slept on an old broken down cot out in the hall at an expense of six bits. Cheer up, Col, the worst is yet to come. You may be called upon to attend the next term of court at Vale, and have to sleep on one of the regular beds in the leading hotels of that city. If so you will think you have made a mistake and laid down on a pile of brick bats and cobble stones. That old cot will then seem like a genuine luxury, and you will long for it many a time while moving your manly frame from one bump to another, and praying for morning to come.

Cotton and Wool.

Last Friday Congressman Sinnott called the attention of Congress to the way Underwood had cotton bagging and cotton ties placed on the free list for the benefit of the south and how the duty was left on wheat sacks and wool bagging, even though we have two Democratic senators in Washington to look after our interests. The farmers of Oregon surely got an awful deal in the free trade law, and Senators Lane and Chamberlain raised a voice to right their wrongs.

Col. Stream is sore at Ontario because his hat blew off on his way to the fair grounds, and the motor man charged him a dime for stopping the car and recovering the missing head gear. We will gamble that the car was driven by a Vale man. No car man in Ontario would stop under those circumstances for less than a quarter.

The Vale people are giving the taxpayers fair warning of what they expect to do if given a chance and there should be no surprise expressed if they start a movement for a \$200,000 court house at Vale and the county will have to pay for it as Vale could not sell a bond for fifty cents on the dollar, because they are already over bonded.

Julian Hurley, of Vale, who has been admitted to practice law, gave a very long opinion in the Vale paper last week on what constitutes a violation of the corrupt practice act. Supreme courts have passed on this question and strange as it may seem they do not agree with the opinion written by Hurley.

"The \$1500 Exemption Bill makes improvements in land and personal property—automobiles, stocks, bonds, merchandise stock, etc., pay less taxes. It makes land pay more taxes. The farmer has the most land proportionately and he will pay the most taxes proportionately. This is entirely unfair."

Eighty per cent of the people of Malheur County have expressed a desire to have their county seat located at Ontario. A few court house hangers on believe they can thwart the wishes of those people.

When the fighting powers unite in declaring that peace overtures are unthinkable, a portent of a secret willingness to find a way to stop the war it at hand.

It is easy to figure out the authorship of the cuss articles in the Vale paper as either of the Johns are quite proficient, but those Biblical stories and parodies must have been contributed.

When a town is of so little importance that the adding to or taking away of one building will make or destroy it, is it not about time to stop trying to make a place of it?

When the war is over the more foreign goods and foreign produce that is sent to this market the less goods in this county the workers will be paid for producing.

Go right over to the city hall and register so you can vote at the general election in November.

School Supplies School Books

**EVERHART
DRUG
COMPANY**

**Four Doors South of
Post Office**

WHAT THE SUPREME COURTS OF MANY STATES AGREE ON

[Published at the Request of the Ontario Commercial Club.]

The supporters of Vale in the present county seat contest are continually making the charge that Ontario and her citizens are seeking to bribe and corrupt the voters of the county by offering to donate to the county a court house and grounds as a consideration for the removal of the county seat to Ontario. If this is true, why don't the Vale adherents seek out those who are violating the law and prosecute them? A grand jury has recently closed its session at Vale and not a complaint of this kind was made before it. Another grand jury will convene in January. In the meantime the District Attorney's office is open for business, and if any one in Ontario is violating the law we want them arrested and prosecuted. We want the people to consider this matter seriously. If the citizens of Ontario are corrupting the voters of the county why are they not arrested and prosecuted for the offense?

There is but one answer to this question, and that is that no such offense is being committed. The Corrupt Practice Act cited in the last issue of the "Enterprise" does not apply to an offer of this kind under consideration. Among other things, it simply makes it an offense to offer anything to an ELECTOR to vote for or to refrain from voting for any measure submitted to the people. Now Ontario and her citizens have not offered anything to any elector in the county to procure his vote on the county seat question, or for any other purpose, and do not intend to do so. Our people are law abiding citizens, and propose to and will remove this county seat without breaking a single law of the land. In the next place it is not necessary, even if the disposition was there. Voters are rallying to our standard thick enough and fast enough to do the work without having to buy them. In the third place we have too high a regard for the intelligence of the voters of Malheur County to think for a moment that their support could be purchased.

Ontario and her people offer to and will donate to Malheur County a court house and grounds worth \$30,000.00 if the county seat is removed from Vale to Ontario. We are making this offer to the entire public and not to any individual elector. If this is corruption and bribery, then prosecute us for it; if it is not, then tell the people the truth and stop insinuating what you dare not attempt to prove.

This is not a new question. It has been before the Supreme Courts of over a score of states in the United States, both in civil and criminal proceedings. In practically every case it was held that offers of lands and buildings for county purposes in consideration of the location of the county seat do not amount to bribery or corruption. Such an offer is not contrary to public policy, and violates no law, either civil, criminal or spiritual.

In this connection we can not do better than to quote from the opinion of the court in the case of Wells vs. Taylor, reported in the third Pacific Reporter, page 255. This case arose out of a county seat contest in the State of Montana wherein it was sought to remove the county seat from Radersburg to Boulder City in that state. The latter city made the same kind of an offer that Ontario is now making, and was successful in the removal election. Thereafter the citizens of Radersburg brought suit to annul the election on the grounds, among others, that the offer of a court house and grounds by Boulder City amounted to bribery and corruption of the electors of the

county. The Supreme Court of Montana, in passing upon this branch of the case, uses the following language, to wit:

"The petitioners rely upon the allegations of their application, that prior to the election there was presented an offer to the voters of the county in the form of a bond, conditioned for the building of a court-house at Boulder City, providing a majority of the votes cast at the election were in favor of changing the county seat of the county to that place. This offer was not bribery. A proposition of this kind, looking to the public welfare, and for the benefit of all the people alike, contains no element of criminality or immorality. The thing offered is of a public nature, pertaining to the public and not to individuals, and the party to be influenced is a whole county, and in a manner to benefit every inhabitant thereof. This is not a case of a candidate for public office, who, in order to secure votes, promises in case he shall be elected to donate a portion of his salary or other valuable things to the county or state. This would be simply a proposition to purchase an office in consideration of personal service or money, or both. Such a proposition the law condemns as against sound policy, and as tending to corruption. A man who is so infirm in morals as to be willing to purchase an office, would probably resort to corrupt practices in order to extort from the people the price paid. Public buildings and places to transact the public business of the people are in every county a necessity. They are provided, and rightfully, by a tax upon the whole people, for the reason that all are benefited by their erection. But if, during the pendency of an election to change a county seat, a man or company of men should erect at a certain place a court-house and county offices in order to retain the county seat at such place, could such man or company be charged with bribery, or the exercise of an undue influence upon the election? Reasonable men in casting their ballots look to the public interest and general welfare. A self-governing people have the right to do in a legal way whatever is not forbidden by the law or public policy, for the public good. Philanthropy might erect a public building for the use of the people. Might the donor not give and the people accept without the people being guilty of a crime? And if such gift were a courthouse, and made during the pendency of an election to remove or change the county seat, is it possible that the people would be guilty of a crime if, in casting their ballots, they took into consideration the public benefits to be derived from such gift? The motive which prompts the gift is not material. If the donation promotes the public welfare, the people, in casting their ballots, have the right to consider it, whether the motive be good or bad. A whole people are not bribed by the bestowal of public benefits for the good of all alike. The law proceeds upon the theory that a self-governing people are self-respecting, and that whole communities will not do any act that reflects upon their honor or integrity."

Says Woodward, J., speaking for the Supreme Court of Iowa, (10 Iowa, 220): "We do not think the giving facilities for public convenience to the whole county, such as furnishing a building for the courts and offices, and thus relieving the county from a burden of expense, amounts to bribery. Nor would the giving property, though not of that specific character, but yet adapted to reducing the expense of a change. If the people of a town desire a county seat located at such place, there is no wrong and no corruption in their offering and giving facilities to produce that result. Either in buildings and offices direct, for the use of the public, or in property or money to procure the facilities, they may offer to take away or to lessen the pecuniary burden which would come upon that public, the county, by the location, or by the change of location. And this cannot be bribery. And it may be doubted whether such an act can become bribery when the offer is to the whole county, and upon a matter of county interest only. In a case like the present there is no duty upon the county from which it or its citizens may be induced to swerve. They may adopt which place they see fit, and it is offering additional inducements only to offer as above mentioned."

Says Lyon, J., for the Supreme Court of Wisconsin, in the case of State vs. Purdy, (35 Wis., 225):

"References should be made to the cases which have sustained the validity of bids or pecuniary offers to secure the location of public buildings at some particular place. We have no controversy with these cases here. The distinction between the election of public officers to whom, for the time being, the exercise of the functions of sovereignty is intrusted, and the mere chance of a site for a public building, is quite apparent. The former involves, or may involve, the integrity of the government, and the preservation of the principles upon which it is founded; while the latter is only a matter of public convenience or pecuniary interest, involving no fundamental principles whatever."

Now if the Vale banks and business men want to treat me that way, they need not count on me tearing my shirt for them. I can raise just as much grain or hay with the county seat at Ontario as I can at Vale, and I promise to vote for the place that treats me right.

ary burden which would come upon that public, the county, by the location, or by the change of location. And this cannot be bribery. And it may be doubted whether such an act can become bribery when the offer is to the whole county, and upon a matter of county interest only. In a case like the present there is no duty upon the county from which it or its citizens may be induced to swerve. They may adopt which place they see fit, and it is offering additional inducements only to offer as above mentioned."

Says Lyon, J., for the Supreme Court of Wisconsin, in the case of State vs. Purdy, (35 Wis., 225):

"References should be made to the cases which have sustained the validity of bids or pecuniary offers to secure the location of public buildings at some particular place. We have no controversy with these cases here. The distinction between the election of public officers to whom, for the time being, the exercise of the functions of sovereignty is intrusted, and the mere chance of a site for a public building, is quite apparent. The former involves, or may involve, the integrity of the government, and the preservation of the principles upon which it is founded; while the latter is only a matter of public convenience or pecuniary interest, involving no fundamental principles whatever."

From a Grangers Viewpoint.

Vale, Oregon, September 30, 1914.
To The Editor:

I am sending you in this letter some opinions that I have formed regarding to happenings of this community recently. If you think them of interest to your readers, you have my consent to publish them. I am a rancher, living near Vale, and have lived here quite a while. I have always felt like I would like to be able to call Vale my home town, but I have got so many knocks from there in recent years, and especially lately, that I am now ready to cut loose from the place entirely. I have a fairly well improved ranch with a water right as good as any on the Malheur, on which I have been trying to make a living. I sometimes need credit to help carry me through until I can sell something to get some cash. When I go to the Vale merchant he tells me that he is on a cash basis. When I go to the bank to borrow money I am told that the bank has no money to lend. When I go to some of the "retired capitalists" of Vale they tell me that they are not lending money now on account of the war, or some other cause. Although I am a resident here, and own my property here, I am compelled to go somewhere else to get credit. I never did like this much, but never made any kick until the Vale banks, business men and capitalists hunted up Mr. Brogan, and according to the Enterprise suggested to him that they lend him \$20,000.00 or \$25,000.00, and take his company as security. Now I think I have a kick coming. I am told that the Bully creek project will cost Eighty Dollars per acre. I can't see why the Vale banks and business men want to lend money on this \$80.00 an acre project. That land never will be as good as my land, and they will not lend me anything on my land, nor give me any credit to improve it or do farm work, yet they will put in a lot of money into a proposition like Bully creek.

Now if the Vale banks and business men want to treat me that way, they need not count on me tearing my shirt for them. I can raise just as much grain or hay with the county seat at Ontario as I can at Vale, and I promise to vote for the place that treats me right.

A. GRANGER.